

REMARKS

Applicant inserts into the specification the headings suggested by the Examiner.

Applicant submits a new Abstract of the Disclosure which omits the words to which the Examiner objected.

Applicant requests the Examiner to reconsider and withdraw the rejection of claims 4 and 5 under 35 U.S.C. § 112, second paragraph, in view of the above corrective amendments to these claims.

The Examiner issues the following two statutory prior art rejections:

Claims 1 and 3-7 are rejected under 35 U.S.C. 103(a) as being unpatentable over Center et al (US 5,078,509) in view of Marchesani (US 3,806,024); and

Claim 2 is rejected under 35 U.S.C. 103(a) as being unpatentable over Center et al/Marchesani as applied to claim 1 above, and further in view of Donovan et al (US 5,888,648).

Applicant respectively **traverses** these rejections.

The traversal is directed to the independent claim 1 and is based on deficiencies in the disclosures of Center '509 and Marchesani '024. These deficiencies apply by definition to the rejections of the dependent claims 2-9.

Center '509 discloses a resealable flexible packaging 10 comprising a longitudinal weld 90 lying along the height of a body, two lines of weakness 150, 160, thereby defining a release strip 63 on a flap 60, and an adhesive 100.

However, Center discloses that the adhesive 100 is disposed on the outer surface of the packaging, and not on the strip on the flap as claimed in claim 1.

Marchesani '024 discloses a resealable flexible packaging 10 comprising a body sealed at a lower end 14 and opened at an upper end 22, a strip 24 whose lower end 26 is related to the lower end 14 of the body, and an adhesive 2 disposed on the strip 24 and intended to close again the packaging.

Nevertheless, the strip disclosed by Marchesani is not formed starting from the "body" of the packaging, as required by claim 1.

Thus, if the person skilled in the art consulted Marchesani, the person could modify the packaging of Center by removing the release strip 63 on the flap 60 and the adhesive 100 and by adding the strip with the adhesive connected to the lower end of the body disclosed by Marchesani on the packaging of Center.

However, the person skilled in the art would not be able to produce the claimed invention because the adhesive strip would not be formed starting from the body of the packaging, "on the flap along the longitudinal weld", as claimed in claim 1.

Applicant has explained the manner in which claim 1 would not have been obvious from the combined teachings of Center and Marchesani, and the dependent claims 2-9 also would not have been obvious from this prior art at least for the same reason explained above with respect to claim 1, and also because of the additional limitations recited in these dependent claims.

Thus, Applicant respectfully requests the Examiner to reconsider and withdraw the rejections under 35 U.S.C. § 112, second paragraph, and 35 U.S.C. § 103(a), and to find the application to be in condition for allowance with all of claims 1-9; however, if for any reason the Examiner feels that the application is not now in condition for allowance, the Examiner is respectfully requested to **call the undersigned attorney** to discuss any unresolved issues and to expedite the disposition of the application.

Applicant files concurrently herewith a Petition (with fee) for Extension of Time of two months.

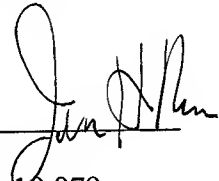
Applicant hereby petitions for any extension of time which may be required to maintain the pendency of this application, and any required fee for such extension is to be charged to Deposit Account No. 19-4880. The Commissioner is also authorized to charge any additional fees under 37 C.F.R. § 1.16 and/or § 1.17 necessary to keep this application pending in the Patent and Trademark Office or credit any overpayment to said Deposit Account No. 19-4880.

Respectfully submitted,

/John H. Mion/

John H. Mion

Registration No. 18,879

A handwritten signature in black ink, appearing to read 'John H. Mion', is written over a horizontal line that serves as a signature line.

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